

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA-2006-24121; Directorate Identifier 2005-NM-248-AD; Amendment 39-14662; AD 2006-13-09]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Boeing Model 747-400 and 747-400D Series Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Final rule.

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**SUMMARY:** The FAA is adopting a new airworthiness directive (AD) for certain Boeing Model 747-400 and 747-400D series airplanes. This AD requires replacing specified tie rods of the center overhead stowage bins. This AD results from manufacturer analysis of the overhead storage bin support structure that demonstrated that the capability of certain existing tie rods does not meet emergency landing load requirements. We are issuing this AD to prevent detachment of the center overhead stowage bins during an extreme forward load event, which could cause injury to passengers and hinder emergency evacuation procedures.

**DATES:** This AD becomes effective July 27, 2006.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of July 27, 2006.

**ADDRESSES:** You may examine the AD docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC.

Contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207, for service information identified in this AD.

**FOR FURTHER INFORMATION CONTACT:** Patrick Gillespie, Aerospace Engineer, Cabin Safety and Environmental Systems Branch, ANM-150S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 917-6429; fax (425) 917-6590.

## **SUPPLEMENTARY INFORMATION:**

### **Examining the Docket**

You may examine the airworthiness directive (AD) docket on the Internet at <http://dms.dot.gov> or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the street address stated in the ADDRESSES section.

### **Discussion**

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 to include an AD that would apply to certain Boeing Model 747-400 and 747-400D series airplanes. That NPRM was published in the Federal Register on March 14, 2006 (71 FR 13060). That NPRM proposed to require replacing specified tie rods of the center overhead stowage bins.

### **Comments**

We provided the public the opportunity to participate in the development of this AD. We have considered the comments received.

### **Support for the NPRM**

Boeing expresses support for the NPRM.

### **Request To Revise Costs of Compliance**

The Air Transport Association (ATA), on behalf of its member Northwest Airlines (NWA), requests that we revise the costs of compliance shown in the NPRM. NWA states that the cost of the parts kit has increased from \$1,090 to \$2,301.

We agree with this request. We have confirmed that the cost of the parts kit has increased as specified and have revised the costs of compliance of this AD accordingly.

### **Conclusion**

We have carefully reviewed the available data, including the comments received, and determined that air safety and the public interest require adopting the AD as proposed. We have determined that the changes in cost will not significantly increase the economic burden on any operator.

### **Costs of Compliance**

There are about 380 airplanes of the affected design in the worldwide fleet. This AD will affect about 62 airplanes of U.S. registry. The required actions, depending on whether an airplane has tie rods on both sides or one side only, will take between 2 and 3 work hours per airplane, at an average labor rate of \$65 per work hour. Required parts will cost about \$2,301 per tie rod replacement kit (one kit per side). Based on these figures, the estimated cost of the AD for U.S. operators is between \$150,722 and \$297,414, or between \$2,431 and \$4,797 per airplane.

## **Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

## **Regulatory Findings**

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866;
- (2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
- (3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this AD and placed it in the AD docket. See the ADDRESSES section for a location to examine the regulatory evaluation.

## **List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

## **Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

### **PART 39—AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

#### **§ 39.13 [Amended]**

2. The Federal Aviation Administration (FAA) amends § 39.13 by adding the following new airworthiness directive (AD):

# AIRWORTHINESS DIRECTIVE

[www.faa.gov/aircraft/safety/alerts/](http://www.faa.gov/aircraft/safety/alerts/)  
[www.gpoaccess.gov/fr/advanced.html](http://www.gpoaccess.gov/fr/advanced.html)

U.S. Department  
of Transportation  
**Federal Aviation  
Administration**



**2006-13-09 Boeing:** Amendment 39-14662. Docket No. FAA-2006-24121; Directorate Identifier 2005-NM-248-AD.

## Effective Date

- (a) This AD becomes effective July 27, 2006.

## Affected ADs

- (b) None.

## Applicability

- (c) This AD applies to Boeing Model 747-400 and 747-400D series airplanes, certificated in any category; as identified in Boeing Special Attention Service Bulletin 747-25-3371, dated July 28, 2005; equipped with center overhead stowage bins.

## Unsafe Condition

- (d) This AD results from a manufacturer analysis of the overhead storage bin support structure that demonstrated that the capability of certain existing tie rods does not meet emergency landing load requirements. We are issuing this AD to prevent detachment of the center overhead stowage bins during an extreme forward load event, which could cause injury to passengers and hinder evacuation emergency procedures.

## Compliance

- (e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

## Replace Tie Rods

- (f) Within 60 months after the effective date of this AD, replace specified tie rods of the center overhead stowage bins with new, improved tie rods that meet emergency landing load requirements, in accordance with the Accomplishment Instructions of Boeing Special Attention Service Bulletin 747-25-3371, dated July 28, 2005.

## Alternative Methods of Compliance (AMOCs)

- (g)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) Before using any AMOC approved in accordance with § 39.19 on any airplane to which the AMOC applies, notify the appropriate principal inspector in the FAA Flight Standards Certificate Holding District Office.

### **Material Incorporated by Reference**

(h) You must use Boeing Special Attention Service Bulletin 747-25-3371, dated July 28, 2005, to perform the actions that are required by this AD, unless the AD specifies otherwise. The Director of the Federal Register approved the incorporation by reference of this document in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, WA 98124-2207, for a copy of this service information. You may review copies at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Room PL-401, Nassif Building, Washington, DC; on the Internet at <http://dms.dot.gov>; or at the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, WA, on June 14, 2006.

Kalene C. Yanamura,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 06-5549 Filed 6-21-06; 8:45 am]

BILLING CODE 4910-13-P